

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEVEN GREEN,

Petitioner,

v.

PA BOARD OF PROBATION AND
PAROLE, *et al.*,

Respondents.

Civil Action No. 09-60 Erie

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on March 16, 2009 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The Magistrate Judge's Report and Recommendation [17], filed on January 19, 2010, recommends that the Respondents' motion to dismiss [16] be granted and the instant petition for writ of habeas corpus be dismissed as moot, inasmuch as the Petitioner died of natural causes on January 7, 2010. No objections to the R&R have been filed.

After de novo review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 21st day of June, 2010,

IT IS ORDERED that the Respondents' motion to dismiss [16] be, and hereby is, GRANTED and the instant petition for writ of habeas corpus be, and hereby is, DISMISSED as moot.

The Report and Recommendation [17] of Magistrate Judge Baxter, filed on January 19, 2010, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge